

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/6/10

IN RE: WORLD TRADE CENTER  
DISASTER SITE LITIGATION

21 MC 102 (AKH)

THIS DOCUMENT APPLIES TO ALL CASES  
IN THE WORLD TRADE CENTER  
DISASTER SITE LITIGATION

X

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE  
IN CERTAIN ACTIONS AS TO LVI ENVIRONMENTAL  
SERVICES, INC. AND LVI SERVICES, INC.**

The parties to the above-captioned consolidated action, through their respective  
counsel of record, hereby stipulate and agree as follows:

**IT IS HEREBY STIPULATED AND AGREED**, by and between the attorneys for the  
undersigned, that whereas no party is an infant or an incompetent person for whom a committee  
has been appointed and no person not a party has an interest in the subject matter of the action,  
the civil actions referenced in Attachment A, be discontinued and dismissed pursuant to Federal  
Rule of Civil Procedure 41(a)(1)(ii) as against defendants, LVI ENVIRONMENTAL  
SERVICES, INC. and LVI SERVICES, INC. only, without prejudice and without cost to any  
party.

**IT IS FURTHER STIPULATED AND AGREED** that should evidence be  
discovered throughout the course of litigation which determines that LVI  
ENVIRONMENTAL SERVICES, INC. and LVI SERVICES, INC. are proper parties to this  
suit, that plaintiffs may reinstitute the action without regard to the applicable Statute of

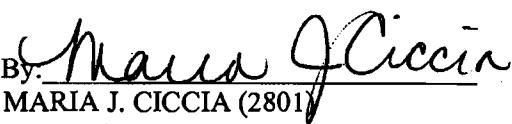
Limitations, assuming said original action was timely commenced, and in such instance defendants shall not assert Statute of Limitation as a defense.

Dated: New York, New York  
September 28, 2010

WORBY GRONER EDELMAN & NAPOLI  
BERN, LLP

COZEN O'CONNOR

By:   
CHRISTOPHER LOPALO (CL-6466)  
350 Fifth Avenue  
New York, New York 10118  
(212) 267-3700

By:   
MARIA J. CICCIA (2801)  
45 Broadway  
New York, New York 10006  
(212) 509-9400

SO ORDERED: 10-6-10

  
ALVIN K. HELLERSTEIN, U.S.D.J.

Attachment A

Ivan Calero v. 1 World Trade Center L.L.C. – Index No. 06-cv-01650  
Francisco Camino v. Hillman Environmental Group, LLC – Index No. 07-cv-01476  
Asdrubal Coello v. Hillman Environmental Group, L.L.C. – Index No. 07-cv-01484  
Carlos Fajardo v. Abatement Professionals – Index No. 08-cv-04935  
Isaac Hernandez v. Silverstein Properties – Index No. 05-cv-01379  
Henryk Jozwiak v. 90 Church Street Limited Partnership – Index No. 08-cv-04939  
Mariana Ortega v. Silverstein Properties – Index No. 05-cv-01765  
Maximo Pachay v. 1 World Trade Center L.L.C. – Index No. 05-cv-09041  
Gabrial Varela v. Abatement Professionals – Index No. 09-cv-02812